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SUBJECT: MINISTER OF JUSTICE DISCUSSES PRIORITIES FOR
JUSTICE SECTOR

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11. (U) This message is sensitive but unclassified. Please protect accordingly.

12. (U) Summary: On May 27, Ambassador Sanderson paid a farewell call on Minister of Justice Exume. They discussed his priorities for the justice sector, including the judicial system, prisons and the Haitian National Police (HNP). The Minister reiterated his strong commitment to reform of the judicial system as the lynchpin for advancing reforms in the prison sector and continuing the progress made by the HNP. End summary.

13. (U) On May 27, Ambassador Sanderson, accompanied by the NAS Director, paid a call on Minister of Justice (MOJ) Exume. She informed him of her impending departure and took the opportunity to ask the Minister about his priorities for the coming year as well as to reiterate USG support for several pending projects in the prison and police arenas. The Ambassador thanked the Minister for his leadership and cooperation with the USG. She emphasized the pride of the USG in what has been accomplished in coordination with the GOH in the security sector and the USG commitment to continued support of the Haitian National Police (HNP). She also commented on the differences between the security situation in 2006, when the police were unseen on the streets, and the situation in 2009, with a strong visible police presence.

14. (U) The MOJ mentioned a recent meeting with the Ministry of Planning and expressed his belief that with appropriate resources applied to the GOH's priorities he can make a difference. He thanked USAID for its work in the Justice Sector, while emphasizing that the work must be tied to the GOH's priorities. He is in the process of preparing the MOJ budget and laid out his priorities for the three parts of the sector. For the judicial system, his priorities are the establishment of a fully functional judicial inspection unit, reinforcement of the court system, criminal code reform (under a special commission to be established) and modernization of the prosecutors' offices (parquets). On the latter point, he plans to target five parquets as models, with additional personnel and equipment, including Internet access. He acknowledged that one of the major stumbling

blocks remains the high level of corruption in the court system. The Ambassador emphasized that judicial reform was essential to create some equilibrium in the justice sector, with the courts progressing to match the strides made by the HNP. Without that, the frustration of the HNP and the overcrowding in the prisons will only worsen as detainees remain incarcerated without due process and criminals are released at the whim of judges. The MOJ fully agreed.

15. (U) For the prisons, the MOJ listed his priorities as dealing with the problem of lengthy pretrial detention, the need for effective legal representation, and the pressing need for additional prison capacity. Ambassador Sanderson reminded him of the USG offer to construct a new women's prison that has been on the table for over a year. The MOJ discussed the site he has identified for that facility, which is one of the properties seized from a convicted drug trafficker serving time in the US as part of the INL-funded anti-money laundering project. The site is in Tabarre (the neighborhood where the Embassy is located) and has sufficient space for that facility as well as a small police station and the HNP maintenance garage (see below).

16. (SBU) When asked about priorities for the HNP, the MOJ identified the need for a maintenance garage and improvements to police stations around the country, where living and working conditions for the HNP, particularly in out-lying areas, do not meet minimal standards for performance of their duties. The MOJ stated that many lack beds or dining facilities and basic equipment to do their jobs. The Ambassador reminded him that the USG has offered to assist in creating a fleet management and maintenance facility. She also recalled the USG-funded model police station program in 2006-7 and suggested that this is something that could be

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considered if the GOH identified the most important stations to renovate. The Ambassador also brought up the subject of the HNP presence in Cite Soleil, indicating that since dedication of the police station there in March, the number of HNP has not grown substantially and the building is not being fully utilized. She mentioned the importance of promoting community-oriented policing and requested that the GOH decide whether they wish to have the small police station at Wharf Soleil rebuilt. (Note: The USG has been waiting for nine months for a GOH decision on Wharf Soleil). When asked about the recent uptick in violence, the Minister indicated he was not overly concerned about that but that they must redouble their vigilance to not allow it to grow.

17. (SBU) On other justice-related issues, the MOJ offered his opinion that neither the HNP nor MINUSTAH has the capacity to effectively cover the upcoming June 21 runoff elections. However, he believes that the elections will happen in spite of some problems that are expected. He also opined that if the 2011 succession for president works, Haiti will be much better off in the future. The Ambassador raised two specific cases with the MOJ: the arrest of attorney Osner Fevry and the murder of Francois Latour in 2007. The MOJ expressed his surprise about the bar association strike to support Fevry in light of the strong evidence against him for fraud against the public state (falsification of state seals and signatures) as well as his history of previous legal problems. He mentioned that the magistrates had considered striking as well but he had made sure they understood that such a strike would be illegal. On the Latour case, he promised to follow up and provide an update in light of the fact that the judge in charge of the case was no longer in Haiti.

18. (SBU) Comment: Minister Exume appears firm in his commitment to judicial reform and strong cooperation with the USG. He has cooperated actively with the USG on reform of the security sector to date and that should continue. He has clearly thought about his vision for sector reform overall and is preparing a budget that will reflect those priorities.

However, his strong focus on judicial reform has meant less attention to prisons and police to date, areas where the USG will continue to press him in order to move USG police and corrections projects forward and promote a balanced approach to justice sector reform.

SANDERSON